2; Skreferud M-5 (1870-1871) 1942 AW42 Santal AW42

585 184 The customary dues are as in a marriage with parties; eating and drinking and beer are also in the same way. After having had food and drink the bridegroom's party bring the bride to the bridegroom's home. Three brothers of the bride and a duenna go along with the girl. For "finishing the painting" and for "fireplace damages" nothing has to be given. The applying of sindur is done in the house of the bridegroom. Here they also act as customary at a marriage with parties. In connexion with taking the pair away and back again it is also as in other marriages.

h. Ghardi jäwäe[40] (house son-in-law).

583 People who have no son, or whose sons are small and not fit to do any work, such people keep house sons-in-law, when they have grown up daughters; and only a poor man or an orphan will stay as a house son-in-law. House sons-in-law have no bridesprice or expenses to pay, nor have they any customary dues to give; the expenses are all on the girl's side. The marriage is performed for them like for other people. They serve for the bride five years with their father-in-law. They do not get any wages, only food and clothes. When they take in a house son-in-law, they show him a calf. If before the five years are gone, the girl does not pull together with her husband, he goes away taking the calf with him. At the time when the two are married the father gives also the girl a calf. And for five years she gets her reaping perquisites, and this paddy she gives out on interest to somebody. When five years have passed, they will, if they are pleased, stay on, getting wages; if not, they leave.

[428] And if a girl's parents have no male children, and if the house son-in-law and his wife will take care of and feed the two (parents) until death, the two will get the house and household, all the agricultural and other land, and they will get half the cattle; the other half the brothers (or cousins) of the girl's father will get. The ghardi jäwäe and his wife have to bear the expenses in connexion with the final funeral ceremonies. If there are two or three house sons-in-law, they divide.

i. The marriage of widowers, widows, and divorced ones.

• 587 [539] Widowers are not liked; therefore (girls) will not quickly agree to be married to such ones. They say: "As a widower snarled"; "a widower a worn-out broom, scraping, scraping, who will be fool enough to agree to be married to such a one"?

Divorced men are not liked either. They say: "A divorced man, a fickle fellow, who knows for how many days."

They also put blame on widows. They say: "A widow, a stallion, neighing, neighing."

Divorced girls are especially blamed. They say: "A divorced girl, the head of a meena, smooth, smooth"; "a divorced girl, a green Bulbul bird, they cry in a thousand ways";

[40] See Dictionary s. v.

2: Skreferud M-5 (1870-1871) 1942 AW42 Santal AW42

'a divorced girl, a decoy partridge, they are leading astray'; 'a divorced girl, a cɔɖgɔɖ[84] fish, they do not remain in one place'. 587

If a widower or a divorced man marries a spinster, her parents will take a brideprice of five or seven rupees for good, that is to say, the bridegroom does not get anything in return. The marriage is performed as between bachelor and spinster. [537]

Formerly bachelors did not marry widows or divorced women, and also nowadays this is not in accordance with the rule; still nowadays a few men marry such persons, because the age has become depraved. Those who marry a widow or a divorced woman have to pay only half the brideprice, and the Jɔg Mãjhi gets eight annas as marriage fee. The village headman gets nothing. Cloth for the mother, cloths for the grandmothers there is nothing of, and presents and the like are absent also; there is no bathing and hair-washing, no going and coming either. This is no real marriage, we call it a temporary hire. The name of such a marriage is sãŋgha. The bridegroom does not apply sindur to the bride. Applying sindur to a flower, he with his left hand sticks this into the bride's hair. This is sãŋgha (marrying a widow or divorced woman). No feast has to be given either, the bridegroom gives only a couple of people some beer.

Girls who get a child while being spinsters they call cupi chɔḍwi, tail-divorced. Any one who marries such a girl, pays a brideprice as for a divorced girl. But the marriage is performed as a marriage with a spinster. 848

j. Running in.

If in any village a young man and a girl have become of one mind, the girl will inform the Jɔg Mãjhi of this. Having found out what the young man wishes, the Jɔg Mãjhi takes the girl into the house of the young man's parents. A couple of days afterwards the parents tell the village headman. They come together and have a talk. They ask the girl and the young man what they intend. If these two say they are willing and agree, they separate them and fix a day for the marriage. The village community gets five four-anna bits. The marriage is performed like other marriages. 583

If any young man and girl have sexual intercourse, and the young man afterwards is unwilling to marry her, the girl will run in to the young man, forcing her way in. If the young man professes to marry her, in this case their marriage is performed as with the above run-in girl. But if the young man will not agree to marry her, he will in accordance with the decision of the village council have to pay the girl three rupees, and the village council will fine the father of the young man and the father of the girl each five four-anna bits. When the girl has got the money, the Jɔg Mãjhi will take her to the house of her parents. 583 836

[84] Ophiocephalus gachua, Ham. Buch.

597 his, then the sons of the adopting man get this property or that of his wife. But the
cousins of the adopted man get nothing. That is to say, the sons of the adopting man
428 will have the responsibility for the expenses with the final funeral ceremonies and so on.
And if he has children, it naturally belongs to them. And when any married people have
no children, they may take children of both sides, i. e., children of the wife's brothers, or
children of her younger sister, children of the husband's younger or elder brothers, take
them to themselves as adopted ones, to be supported by them until death. These adopted
ones also, in the same way, get their share of the agricultural lands, if children of the
adopting pair have been born. And if they have got no children, all property will naturally
belong to the adopted son. Mostly such childless people take in sons as adopted ones.
[178] Now and then they have taken in real adopted ones. When formerly — it is now some
three scores of years ago — there was an insurrection, then they adopted many. At the
present time they also now and then adopt. Nowadays, since the European missionaries
597 have come, these show mercy to orphans. Rather, these European teachers are like claimants
797 following up and finding their rice-lands and other lands. This is a righteous act much
greater than everything else they do. They are teaching them knowledge at their own expense.
They do not seek to be supported until death like us; they are rather themselves supporting others.

c. Wife's children taken in.

428 When a man takes a second wife, and she brings with her children, viz., of her former
husband, we call such children saṅgha lɔtɔm (taken in by wife's second marriage). If
587 they are boys, these children have no right to get the stepfather's agricultural lands and
so on. But the stepfather will with pleasure procure land and a homestead field for such
a one from the village headman, giving money of his own household as salami. And when
the remarried woman has any earnings of her own, these belong to the children she has
brought with her. But for keeping it in safe custody, she will give the uterine brothers
a portion; otherwise they have no right to it.

d. Taking possession on settling.

421 If any one after having done some planting of trees runs away, and the headman of
that village settles a man who has come running there, in the run-away man's agricultural
land and homestead field, then if there are Mahua trees or water-reservoirs, etc., in that
homestead field or in the village street outside the house or in the unit of land, the new
settler gets all, including these. Even if there are heirs of the run-away man in this village,
they cannot lay claim to the things mentioned, because the new man has taken possession
on settling. And even if the run-away man should sometime return to this village, he
will not get these trees or water-reservoirs, etc., even if he lays claim to them at the landlord's door, because that man has taken possession on settling.

3i Mukherjea O. Y-4, 5 (ca. 1933-1939) 1962
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to a man, on the death of the man, such a domesticated daughter's husband has no rights. If a Santal dies leaving such a son-in-law who again loses his wife, the property goes to the agnates of his father-in-law. 428 606

Partition

Partitions, in Mayurbhanj, follow the *Mitakshòra* branch of Hindu law, but the parties to a partition, in most cases, voluntarily allow a bigger share to the eldest brother or to his heirs, as *Iyasthangshò* (the share of the eldest brother). 428 [177]

Legal status of Santal women 562

In Mayurbhanj: The legal status enjoyed by Santal women in Mayurbhanj can be described as follows:—

(1) If a married man has no child, he can marry again according to Santal customary law. Bride-price is paid in both cases. [587] [583]

(2) If a man has more than one wife, even if some of them might be called *rakhni* (mistress, lit. a kept woman) they inherit equally. [595] [428]

(3) A man can marry as many wives as he likes, but a woman cannot have more than one husband at a time. [595]

(4) *Punchayets* as well as law-courts will give relief to the wife, even if called "*rakhni*," who is deserted by her husband or not given maintenance. [586] [736]

Jt Mukherjea O. Y-4,5 (ca. 1933-1939) 1962
AW42 Santal AW42

selves in a room, when they are *ipso facto* considered to be married.

(4) Jhàri Pani

A yet another form of love-marriage is humorously enough called *Jhàri Pani* (diluted rice beer), which results from the cohabitation of a couple under the influence of drinks at a beer-shop.

(5) Kiring Janwane

This is a form of marriage, which takes place when a girl becomes quick with child as the result of a liaison with a man of her own clan. As a way out of the tribal taboo, some one is procured "to accept the post of a husband, and in consideration of his services gets two bullocks, a cow, a quantity of paddy from the family of the man by whom the girl was made pregnant. The Headman then calls the villagers together and in their presence, declares the couple to be man and wife and enjoins the girl to live with, and be faithful to, the husband that has been provided for her."[1]

III. SANGA (*Widow marriage*)

(1) The Santals, like the other Muṇḍà tribes, have the institution of widow marriage by widow-

1. Ref. Risley, *People of India*, App. VIII, p. clxii.

3t Mukherjea O. Y-4,5 (ca. 1933-1939) 1902
AW42 Santal AW42

587 ers, and in rare cases by bachelors too. Generally, the prospective bridegroom secures the consent of the widow of his choice through an intermediary, and thereafter, she has got to declare her formal consent before the elders of the tribe, on the eve of the formal marriage. In such marriages, the bride-price is quite negligible, and generally it is half of the *Asli* (orthodox marriage), if not less. No vermilion is applied directly by the bridegroom, but the mere sticking of a *Dimbu* (*Ocimum Basilicum*, var. *thrysiflorum*, Linn.) flower in the bride's hair with his left hand, after smearing it with vermilion, serves as the substitute.

587 583 (2) Ñir Bòlòk' (*Intrusion marriage*)

In this interesting form called by Risley, "the female variety of forcible marriage", the widow, unable to hook the man of her choice, takes a pot of rice-beer and begins to live in the house of the puzzled man of her choice. The people of the house, thus trespassed upon, try various means to get rid of her; even by enveloping the air near about her with fumes of red-chilli on fire. But if her love is strong enough to stand these ordeals, she wins the day, and the family is deemed to be in duty bound to accept her as the bride. Customary law has its sense of humour, for, we hear, no price need be paid for such a bride who is thus admitted

3t Mukherjea O. Y-4,5 (ca. 1933-1939) 1962
AW42 Santal AW42

to wifehood with the man of her choice, the mere sticking of a flower in the knob of her hair, as in the *Sanga* marriage, being considered sufficient.

IV MINOR MARRIAGES

Added to these, there are various minor forms of marriage amongst the Santals.

(1) Golanți or Golaneți[1].

Such marriages, mentioned by Dr. Campbell, take place when two families each having a marriageable son and a daughter, each marries his daughter to the other's son. This is a convenient form of marriage and, as a rule, presents are dispensed with.

(2) Ghàrde Jan*wane*.

This is a form of marriage, gone through when the father of a girl wants his daughter to live in his house even after her wedlock. No bride-price need be paid ; and the husband is expected to live with his father-in-law for five years in lieu of the payment. On the expiry of this term, he is at liberty to move freely, on the receipt of the present of a pair of bullocks, some food-stuff and some implements for agriculture.

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1. Ref. page 216, Dr. Campbell's *Santali to English Dictionary*.

4; Biswas D, E-3, 4 (1931-1945) 1956
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SANTAL PARGANAS

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[601] the father's brother's wife and of the mother are the same, only modified by the addition of descriptive terms, younger and elder. This might argue in favour of the existence of polyandry amongst the Santals. But the constitution of the family is entirely different. Amongst the Santals as distinguished from the
595 Todas each brother has a separate wife who is
171 always recognised as the partner of that brother only
851 and does not belong to all the brothers as amongst the Todas. When the child is born, there is no question of any difficulty of identity of the biological father, who is bound by individual marriage ties to its mother. This is quite different amongst the Todas, where a sociological fatherhood has to be determined by the bow and arrow ceremony of generally the eldest brother in the family, when a woman is with child. This sociologically recognised father may be quite different and is often so from the real biological father. But amongst the Santals the sociological and biological father is always
591 the same except in cases of adultery. Amongst the
171 non-fraternally polyandrous Nairs again, there was a custom of several husbands visiting a common wife in turn and leaving shoes, etc., outside for prohibiting the entry of other husbands. There is no trace of any such custom nor any matriarchy amongst the Santals, which would have been necessary for such a system of
• 587 non-fraternal polyandry. True, there is the custom of the junior levirate by which the husband's younger brother has marital right over the elder brother's widow. But this marriage can only take place when the elder brother is dead and there is no question of the younger brother marrying the elder brother's wife while he is
000 alive. Though there is a jocose relationship between

4: Biswas D, E-3, 4 (1931-1945) 1956
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Though there is a jocose relationship between them, the elder brother's wife is respected as mother. So also, the elder brother avoids even touching the shadow of the younger brother's wife, not to speak of her being regarded as the property of the elder brother. There is also the custom of sororate, by which a wife's younger sister could be married by the husband. But the wife's sister is generally and almost universally married to another. So it is possible that the identity of the terms of kinship for the father and father's brothers may be explained by the levirate. In such a case the father's brother's wife would be a second mother and so the terms of kinship for the mother and father's brother's wife, would be the same. Besides, the function of the father's elder brother's wife in a joint family system is more or less that of a supervising mother; so this also might explain the identity of the kinship terms.

(Santal)	Father	... Apum, now also baba.
„	Father's brother	... (Gongo) Apum (elder), (Hopen) Apum (younger).
„	Mother	... (Ayo Gongo).
„	Father's brother's Wife.	... (Gongo) Ayo (elder), (Hopen) Ayo (younger).

But the Santal family though apparently the same in structure of kinship terminology is quite different from the polyandrous Toda family. Comparing the families of these tribes it can be seen clearly that polyandry is not present amongst the Santals. Mr. Craven and the Rev. L. O. Skrefsrud have stated in J.A.S.B., Part 3, 1903, pp. 88-90, that fraternal

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4: Biswas D, E-3, 4 (1931-1945) 1956
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585 [593] a horizontal stroke. This part is the most important of the whole function of the marriage ceremony. Then paddy and grain are showered over her.

Then the wedding feast begins. The Jogmanjhi who is in charge of this makes the food ready which consists of goat's flesh, pork, fowl, boiled rice and large earthen pots filled with pachawee. All the villagers, both male and female, young and old, eat to their heart's content.

Next day the bride and bridegroom and a few female relatives of the bride come back to the house of the bridegroom. The female relatives remain there with the bride that night. Next day after a good feast they come back to their village. To all the villagers of the bridegroom's party he gives a feast which ends the marriage ceremony.

• 587 **Sanga Bapla** :—In this form of marriage the divorced woman or widow is married with a widower. This type of marriage may be compared with the Nika system of the Muhamedans. Here the bridegroom and the bride settle the marriage negotiation and mostly the male takes the initiative. In this marriage the bride [583] price is very nominal, a new sari is given to the bride by the bridegroom. On the appointed day of the marriage the bridegroom comes to the bride's house accompained by his father (if he is alive) and a few co-villagers. The binding ceremony of the Santal marriage is the Sindurdan ; which here is done not by applying Sindur directly on the parting of the hair of bride by the bridegroom, but instead he smears a dimbu flower with vermilion and fixes it in the bride's coiffure. A feast is then arranged.

4: Biswas D, E-3, 4 (1931-1945) 1956
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428 house. If a man leaves only daughters (unmarried)
768 their paternal grandfather or uncles take charge of them and of the widow and the property remains in their possession. They give to these girls the presents which they get during their marriage as their own property, but the bride-price goes to guardians, headman, etc. After marriage the widow gets the perquisites of a childless widow and returns to her father's or to her daughter's house. In many cases it can be seen that one of the sons-in-law becomes gharda-jawae. He lives with his wife in the father-in-laws house and helps him in every possible way like a son till he dies, when the gharda-jawae inherits all the immovable property and half the movable property ; the other half goes to the relatives of the deceased.

If a man dies leaving a widow and several sons (minor), then the widow keeps all the property in her possession. The grandfather or uncles of the sons see that the widow does not waste it. If the widow
[587] remarries before her son's marriage the grandfather and
[429] uncles take possession of the property The mother of the sons has no right to any part of it. Sometimes it can be seen that the widow gets a calf which is known as *Bhandhar*. If the widow does not marry again, she lives with her sons, generally with the youngest son. The youngest son then claims the property of his mother after her death. No other can claim it.

596 **Partition**: Partition in a Santal family generally takes place when members become numerous in a family, and a single house cannot accommodate all

the members; or if the sons do not live happily together, specially when the father has married again and had other issue, the parents make a partition. This partition takes place in the presence of the members of the Kulidrup (the council of the village people). A Kulidrup is called and the father divides all the land, cattle, and other things. The landed property is divided equally, the father and the sons get a share each. The house is also divided equally among the sons and father. If in a house there are four rooms then each will get one, provided all are married. The son with whom the parents live retains possession of their share during their lifetime. Unmarried sons get a double share of the live-stock, one share, for their marriage expenses. Daughters get no share in the property but if they are unmarried they get one calf each, that being the dowry to be given them at marriage, because during the marriage the bride's side has to give a calf to the brother of the bridegroom. The cattle which the sons get at their marriage are divided. But the cattle which the daughters-in-law received from their fathers, brothers and from their fathers-in-law at the time of marriage are not divided. After the death of the wife of a Santal, her unmarried sons cannot claim a partition even if their father takes a second wife, but they can do so if they like after marriage. If the second wife has no children when the father dies the sons by his first wife will get the share of the father provided they agree to pay for the funeral of their step-mother.

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St Culshaw M-S (1892-1943) 1919 AW42 Santal AW42

a youth to force the issue on unwilling parents or an unwilling bride. Marriage by capture is still recognized as valid, provided that the girl expresses her willingness to stay with her captor. In such cases all the usual presents have to be given and a double bride price must be paid. The second method open to an impatient bridegroom is to waylay the girl of his choice and forcibly place the vermilion on her head. This is usually accomplished with the aid of his friends and often with the secret connivance of the girl concerned. Marriage by this means has to be recognized, but the fellow villagers of the outraged girl's parents do not accept the situation without protest. They march to the young man's village and if on their arrival they receive a friendly welcome and are asked to be reasonable they sit down to talk and make arrangements, which include an enhanced bride price by way of compensation to the girl's parents. If, on the other hand, they are received sullenly and the young man hides from them they become angry and do all the damage they can to his home, from pulling down the roof to killing any animals that may belong to his family.

Occasionally it happens that a girl takes matters into her own hands and forces her way into the home of the young man whom she wants to marry her. This, according to Santals, is only a ruse, for no girl would go to such a length unless she had very good reason to suppose that she would be welcomed. When this has happened marriage does not necessarily follow, but the girl must not be turned out and sent back to her own home until a council representing the two villages has met and sanctioned such a course. If marriage is decided upon, the girl's father has to forego the bride price. Another type of concession is made when the parents of the bride are considered to be too poor to pay all the expenses of the full ceremony. The wedding then takes place in the home of the bridegroom and it is known as a *tunki dipil bapla*. *Tunki* is the name of a small basket in which the presents, including a cloth for the bride, are carried on the head—the meaning of *dipil* —to her home. These things with the bride price are taken to the bride's home, but the party return on the same day to the home of the bridegroom, taking with them the bride and her relations, and there the main ceremony is performed.

A second marriage, whether it be the marriage of a widow or a widower, a woman who has been previously divorced or a man who is taking a second wife, conforms to a simpler pattern than a first marriage. The bride price paid is only a half of the usual amount.

St Culshaw M-S (1932-1943) 1949 AW42 Santal AW42

587 amount. The man and the woman are seated on the ground facing each other. The man takes a flower in his hand, and applying the vermilion to the flower and not direct to the woman's head he places the flower in her hair. Afterwards he places on her arm the iron bangle. As one would expect, widowers are usually anxious to marry again as soon as possible, for they are greatly dependent on the help of the woman in the home and in their fields. In the spring of 1941 I was passing through a village in which a wedding was in progress between a widower and a girl who had been previously married and deserted by her husband. In that year marriages were scarce in the countryside because the previous year's rice crop had been a failure and not many could meet the expenses of a wedding. This bridegroom explained his position to me in these words: "I just had to be married again. My first wife was destroyed last year, and if I have no wife who will help [123] me in the fields? I cannot pay wages for labour." He pointed to the bride and asked me what I thought of her. My comments were, I hope, extremely tactful; he told me: "She is a very strong woman." Most of the women who contract a second marriage have been divorced. Although there is no bar to widow remarriage, widows do not often marry again. One reason is the [835] existence of a modified form of fraternal polyandry. A woman is permitted to have sexual relations with her husband's younger brother, and in the event of her husband's death it is his younger brother's duty to marry her. Even where the conditions are not favourable to such an arrangement, she is usually welcome to stay on in the home of her late husband. She probably does a good deal more than earn her own keep by her share in the work of the household, and where she has children they belong to the clan and family of her husband and make a bond between her and the rest of the family.

595 Cases of polygamy are rare. The most frequently recognized cause of a polygamous marriage is the absence of children by the first wife. Such a wife may be divorced or leave, but sometimes she prefers to remain with her husband, who takes another wife in order to beget children. The only case known to me where a man had three wives was exceptional in another way, for he was one of the few Santals of the area who was a prosperous landowner-cultivator. In all that has been said the assumption has been 591 made that the family is patrilocal. The only exception to this 583 rule arises when a man has no sons but has daughters. In this event one at least of the daughters remains at her own home after her marriage, and her husband, known as a "house son-in-

586 [606] her while she could be of service to them, but would return her to her husband after a lapse of two or three months. They settled down to normal married life after the mother-in-law had become aged and enfeebled by rheumatism. Sometimes a wife who suffers from continuous fever refuses to stay in her husband's home, and if there are other causes of discontent her refusal may become permanent, in which case her father has to return the bride price and she becomes free to marry elsewhere.

684 Although the standards of Santal morality allow for a wide variety of sexual behaviour, once those standards have been flouted society can be fiercely intolerant. In the spring of 1939 a daughter of the village priest at Barikul who was married to a "house son-in-law" was discovered in the act of having sexual intercourse with a young man of the same village in the adjoining forest. There was some delay in taking action, for the headman from the aggrieved husband's village was asked to attend the council. The elders meanwhile extorted a preliminary fine of ten rupees from the guilty man, at which the young men were enraged. One of them said: "When we are guilty of small faults you fine us five rupees; in future you should take only five annas from us." When the council met, the amount of the fine was raised to sixty rupees. This was raised within two hours by the man selling all the livestock that he possessed. Of this sum, five rupees was for the villagers of Barikul, five rupees for the fellow villagers of the aggrieved husband, and the balance was paid to the aggrieved husband to enable him to find another wife. He was also allowed to collect from the home certain things that he had earned while living there—a spade, an axe and the [586] brass cooking utensils. Ordinarily when a home is broken up such things are divided between the husband and the wife. On the [587] same evening a party of the villagers accompanied him to a neighbouring village and completed a marriage ceremony for him with a new wife. Most of the usual formalities were omitted, but a bride price was paid and the marriage sealed. The guilty man was required to take the wife into his own home, but when next day the villagers found that this had not been done they went to the priest's home, where they found the young woman lying on the floor seriously ill. In spite of her condition, they took her down to her paramour's home, only to be met by his irate wife and mother brandishing axes. She was taken back to her own home and the council was again summoned. The elders by [762] now had become seriously alarmed by the possibility of violence, and were relieved rather than otherwise when word was brought